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RIGHTS OF THE CHILD

Written statement submitted by Human Rights Watch, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council resolution 1996/31.

[18 January 1999]

GE.99-10662 (E)

The use of children as soldiers

1. More than 300,000 children under the age of 18 are currently participating in more than 30 conflicts around the globe.

2. In 1998, Human Rights Watch conducted field investigations on the use of child soldiers in Colombia, the Democratic Republic of the Congo, Sierra Leone and Uganda. Previous Human Rights Watch investigations have documented the use of child soldiers in Liberia, the Sudan and Uganda.

3. In Colombia, we found that all parties to the conflict - guerrilla groups, government security forces and Government-linked paramilitary groups - routinely recruit children for combat. Over 15,000 children are part of Colombia's national security forces. Up to 30 per cent of some guerrilla units and as many as 50 per cent of some paramilitary units are made up of children. Children participating in Colombia's conflict may be used to collect intelligence, make, deploy or deactivate mines, patrol with troops, and serve as advance troops during ambushes.

4. In Sierra Leone, we documented the forced recruitment of thousands of children by the Armed Forces Revolutionary Council/Revolutionary United Front during the conflict there. These children may be forced to engage in armed attacks against civilians, Civilian Defence Forces and the Economic Community of West African States Monitoring Group (ECOMOG). The Civilian Defence Forces (also known as kamajors), fighting on behalf of President Tejan Kabbah's Government, also recruited children despite numerous public pledges by the Government to desist from the use of child soldiers.

5. In the Democratic Republic of the Congo, large numbers of children are being recruited for use as soldiers, both by the Kabila Government and by the rebel forces. Government-sponsored recruitment drives have targeted children as young as 12. Similar drives by the rebels have recruited children as young as 11.

6. In Uganda, the abduction of children by the Lord's Resistance Army (LRA) has continued unabated. Credible estimates place the number of children abducted for use as child soldiers at between 6,000 and 10,000; between August 1997 and February 1998, in Kitgum district alone, between 1,200 and 1,500 children were reported to have been abducted by the LRA.

7. Human Rights Watch urges the Commission on Human Rights to:

(a) Support the adoption of an optional protocol to the Convention on the Rights of the child that would prohibit any form of recruitment or participation in hostilities by persons under the age of 18 in any armed forces or groups, both governmental and non-governmental;

(b) Encourage the Special Representative of the Secretary-General on the impact of armed conflict on children to continue on-site investigations in conflict areas where children are being used as soldiers;

(c) Include child soldier issues in resolutions regarding conflict situations, particularly calling on parties to conflicts not to recruit children, to immediately demobilize all children already recruited, and to facilitate the rehabilitation and reintegration of former child soldiers;

(d) Call for speedy ratification of the Statute of the International Criminal Court, which includes as a war crime conscripting or enlisting children under the age of 15 into armed forces or groups, and their active participation in hostilities.

Orphanages

8. Many thousands of children around the world live in orphanages and other non-penal institutions in appalling conditions, denied health care, nurturing and education, and exposed to cruelty and neglect. These children, from infancy until the age of 18, are deprived of basic rights at every stage of their lives.

9. Human Rights Watch has conducted field investigations and reported on the treatment of children in State institutions in China, Romania and the Russian Federation. We have found truly shocking patterns of neglect and abuse.

10. In 1998, we found that thousands of children in Russia who had been abandoned to State orphanages were exposed to appalling levels of cruelty and neglect. Medical personnel persuade parents of children with even minor disabilities to institutionalize them. Many of these children need not have been institutionalized, but could have been cared for far better at home or in foster homes at much less expense. These children, as well as abandoned children, are placed in Baby Houses where they are fed and changed, but, in many institutions, given no attention or nurturing.

11. At the age of four or five, doctors examine the children and decide whether they are "educable" or "ineducable". Many children are improperly diagnosed as retarded and "ineducable", condemned to spend their lives in dreadful institutions with no education, stimulation or nurturing care. Some are restrained in cloth sacks, tethered to furniture, denied stimulation, and sometimes left to lie in their own filth. "Educable" children receive some education, but are often treated cruelly, humiliated and beaten. Moreover, children who have grown up in these institutions bear a stigma that keeps them from getting jobs and leading normal lives. There is a high suicide rate among the "educable" graduates.

12. In China in 1996, we found a secret world of starvation, disease and unnatural death in State orphanages - a pattern of cruelty, abuse and malign neglect that had dominated child welfare work in China since the early 1950s. The evidence - largely taken from official government documents - indicated that the likelihood of survival beyond one year for a newly admitted orphan in China's welfare institutions nationwide was less than 50 per cent in 1989.

13. In Romania in 1990, we found children living in dreadful conditions in orphanages; we do not know what the situation of those children is at present.

14. Human Rights Watch calls on the Commission on Human Rights to:

(a) Encourage the United Nations Committee on the Rights of the Child to undertake a study of the conditions in which children are kept in State orphanages around the world;

(b) Urge UNICEF to expand its efforts to deinstitutionalize children and support families and to engage in a campaign aimed at dispelling prejudice against abandoned children and children with disabilities.

15. We also ask the United Nations Special Rapporteur on torture to investigate conditions in State non-penal institutions in the Russian Federation and China, looking at inhuman and degrading treatment, including the use of isolation, restraints, sedatives, and physical and psychological abuse.